Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES): accession of the EU

2013/0418(NLE) - 03/06/2014 - Legislative proposal

PURPOSE: to approve the Accession of the European Union to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).

PROPOSED ACT: Council Decision.

ROLE OF THE EUROPEAN PARLIAMENT: Council may adopt the act only if Parliament has given its consent.

CONTEXT: the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) to which 178 countries, including all Member States, are a party, is a major international environmental instrument aiming to protect endangered species of fauna and flora through controls on international trade in specimens of those species.

The Gaborone amendment to the Convention, adopted by a special Conference of the Parties in Gaborone, Botswana, in 1983, modified Article XXI of the Convention so that access to the Convention, previously limited to States, **was opened to regional economic integration organisations** constituted by sovereign States having competence in respect of the negotiation, conclusion and implementation of international agreements in matters transferred to them by their Member States and covered by the Convention. The Gaborone amendment to the Convention entered into force on 29 November 2013.

The matters covered by the Convention relate essentially to the protection of the environment. The provisions of the Convention have been implemented uniformly in all Member States since 1 January 1984.

Accession to the Convention by the Union will enable it to play a role in the work of the Convention and will legally bind the Union to implement and enforce the Convention in matters falling within its competence. It will create formal responsibilities for the Union so as to make the Union a Party accountable to other Parties.

The accession of the Union to the Convention will not affect the way in which the positions for the CITES Conference of the Parties are agreed by the Union and its Member States, within the fields of their respective competences, in accordance with the Treaties.

The European Union should therefore accede to the Convention,

CONTENT: with this Decision proposal, the Council is invited to approve in the name of the European Union, **approve the Accession of the European Union to CITES**.

For the material content of the Protocol, see the summary of the *Commission's initial legislative proposal dated 06/12/2013*.

The accession of the Union to the Convention will have no impact on the way in which the positions for the CITES Conference of the Parties are agreed by the Union and its Member States, within the fields of their respective competences.

The positions of the Union and its Member States for the CITES Conference of the Parties will be expressed in line with relevant practice in the area of multilateral environmental agreements, within the field of their respective competences, in accordance with the Treaties.

Declaration: the Decision also contains an Annex that declares the European Union, is competent for entering into international agreements, and for implementing the obligations resulting therefrom, which contribute to the pursuit of the following objectives:

- preserving, protecting and improving the quality of the environment;
- protecting human health;
- prudent and rational utilisation of natural resources;
- promoting measures at international level to deal with regional or worldwide environmental problems, including climate change.

Finally, the Declaration clarifies that the European Union is responsible for the performance of those obligations resulting from the Convention on International Trade in Endangered Species of Wild Fauna and Flora which are covered by European Union legislation in force.